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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,827	02/08/2001	Laurent Frouin	1807.1093	9520
5514	7590	07/28/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			BLOUNT, STEVEN	
		ART UNIT	PAPER NUMBER	
		2661		
DATE MAILED: 07/28/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/778,827	FROUIN ET AL.
	Examiner	Art Unit
	Steven Blount	2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 December 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 86 - 107 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 86 - 107 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7, 8</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 86 - 94 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. patent 6,584,534 to Kobayashi.

With regard to claim 86, Kobayashi teaches a method of data packet transmission using device 205 (in 201 or 202) comprising a first network 202 (see figure 2A) which is bus 208 (col 5 lines 5+) connected to a second packet switching network. (see col 7 lines 13+ where a packet switching function is described, and note the use of the word “selects” in line 19) through the use of cable 207, wherein the bus(es) formed within this network transport packets in both isochronous and asynchronous modes (see abstract), and the packets are transmitted in connected (isochronous mode in which a band is secured, as described in col 9 lines 6+) and nonconnected (asynchronous) modes (see col 9, line 10) and wherein it is stated in col 9 lines 5+ that a communication band is reserved (see also col 7 lines 13+) for sending packets from the first to the second node using these reserved resources, and the isochronous mode is associated with the connected mode, and asynchronous mode is associated with the

connectionless mode. (The examiner notes that, alternatively, if desired, it can be considered that the memory devices 606 and 607 are the "resources" that are reserved at the start to receive packets).

With regard to claim 87, reserving memories 606 and 607 is included.

With regard to claim 88, memory is reserved in the memory units 606 and 607 on the second network.

With regard to claim 89, the memory resources are reserved before the packets are sent.

With regard to claim 90, note the use of memory areas 606 and 607.

With regard to claim 91, see the rejections of claims 88 and 90 above.

With regard to claim 92, internal resources (ie, the memory shown in figure 6, members 606 and 607) are reserved for the asynchronous mode.

With regard to claim 93, this is suggested by the teachings in col 8 lines 40+.

With regard to claim 94, see the rejections above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 97 – 103 and 106 - 107 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 6,584,534 to Kobayashi.

With regard to claim 97, see the rejection of claim 86 above, and note that the

means described in the specification are obvious equivalents of those described in Kobayashi.

With regard to claims 98 through 103, see the rejections above.

With regard to claims 106 and 107, it is well known that processes such as those occurring in Kobayashi occur under the control of software driven programs as are typically incorporated into units such as 622 – 624 in figure 6.

5. Claims 95 - 96 and 104 - 105 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 6,584,534 to Kobayashi in view of U.S. patent 6,480,923 to Moertl et al.

With regard to claims 95 - 96, Kobayashi teaches the invention as described above, but does not teach an intermediate storage area. This is taught Moertl et al. See the use of "holding buffers" in col 1 lines 38+.

With regard to claims 104 – 105, see the rejection of claims 95 - 96 above, and also note the processing units 609 and 611 in figure 6.

6. Examiner Steven Blount may be reached at 703-305-0319 between the hours of 9:00 and 5:30 Monday through Friday.

SB

7/21/04


Ajit Patel
Primary Examiner